MUNICIPAL CANDIDATES GUIDEBOOK

MUNICIPAL ELECTIONS 2014

Time to Get Running

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Time to Get Running

This Guidebook is designed to assist anyone who is interested in seeking election or re-election to municipal office. It provides an overview of the election process in Manitoba, and outlines the steps you need to take to run as a candidate in a municipal election.

The information in this Guidebook is general and has been prepared as a reference for municipal candidates. Candidates are responsible to know the rules and comply with the legislation. Candidates should refer to *The Municipal Act* and *The Municipal Councils and School Boards Election Act* for specific legislative requirements. You may obtain a copy of the legislation from our website at: http://web2.gov.mb.ca/laws/statutes/index_ccsm.php.

For more information contact your municipal office or

Manitoba Municipal Government

Municipal Finance and Advisory Services

Phone: 204-945-2572

Internet:

http://web5.gov.mb.ca/mfas/mfas_elections.aspx

Key Dates

Resort Communities - Winnipeg Beach, Dunnottar and Victoria Beach

Candidate Registration
Mayors/Reeves – February 1, 2014 to June 19, 2014
Councillors - March 31, 2014 to June 19, 2014

Nomination
June 13, 2014 to June 19, 2014

Campaign Period
Mayors/Reeves - February 1, 2014 to Dec. 31, 2014
Councillors - March 31, 2014 to Dec. 31, 2014

Withdrawal Deadline
June 20, 2014

Election Day - July 25, 2014

Filing of Election Finance Statements
Deadline determined by municipalities. No later than 210 days (Feb. 20, 2015) after the election.

All Other Municipalities

Candidate Registration
Mayors/Reeves - May 1, 2014 to September 16, 2014
Councillors - June 30, 2014 to September 16, 2014

Nomination
September 10, 2014 to September 16, 2014

Campaign Period
Mayors/Reeves - May 1, 2014 to March 31, 2015
Councillors - June 30, 2014 to March 31, 2015

Withdrawal Deadline
September 17, 2014

Election Day - October 22, 2014

Filing of Election Finance Statements
Deadline determined by municipalities. No later than 210 days (May 20, 2015) after the election.

Key Contacts

Senior Election Official (SEO) – The SEO in the municipality in which you are a candidate is the person responsible for running the election. You will register and file nomination papers with the SEO. Contact your municipal office to find out who is the SEO in your municipality.

Chief Administrative Officer (CAO) – The CAO in the municipality in which you are a candidate can provide you with information on campaign expense limits and deadlines for filing your Election Finance Statement, which is a record of contributions and expenses.

Candidates Checklist

Becoming a candidate:

☐ **Ensure you are qualified to run.** You must be:

- a Canadian citizen
- at least 18 years of age on Election Day
- a voter in the municipality (you are a resident or own property for six months prior to the date of the election)

☐ **Decide whether you are running for mayor/reeve or councillor.**

☐ **Know the name, office location and phone number of the Senior Election Official (SEO) and Chief Administrative Officer (CAO).** You may need to contact them for information.

☐ **Register with SEO.** A sample form is included in this guide. Registration dates:

For resort municipalities (Winnipeg Beach, Dunnottar, Victoria Beach):
- February 1 – June 19, 2014 for mayor/reeve
- March 31 – June 19, 2014 for councillor

For all other municipalities:
- May 1 - Sept 16, 2014 for mayor/reeve
- June 30 - Sept 16, 2014 for councillor

☐ **Obtain a copy of the voters list** from the SEO for campaigning, after you are registered.

☐ **File nomination papers with SEO.** A sample form is included in this guide:

- File your nomination papers on time:
  - Winnipeg Beach, Dunnottar, Victoria Beach: June 13 - 19, 2014
  - All other municipalities: Sept. 10 - 16, 2014

- Ensure nomination papers have correct information (your name, contact information, office for which you are running).

- Ensure you have the required number of eligible voters sign your papers.

☐ **Appoint persons if desired to act as your official agent and scrutineers** and file the appointments with the SEO.

While you are campaigning:

☐ **Open a campaign account** at a bank, credit union, caisse populaire, etc. if you intend to accept monetary contributions from others.

☐ **Know the restrictions on who can make contributions:**
- Only residents of Manitoba are allowed to make donations.
- Contributions from unions, corporate and anonymous donations are prohibited.

- ☐ **Know the maximum contribution amount:**
  - Individuals (including candidates and their spouses) can each contribute up to:
    - $1,500 to a candidate for mayor/reeve or a councillor elected at large
    - $750 to a councillor elected by ward
- ☐ **Know the portion of fundraising revenue considered as a contribution.** Check with the CAO.
- ☐ **Know rules about loans** if you intend to borrow money for your campaign. Loans may only be from a financial institution and there are restrictions on how it should be repaid.
- ☐ **Record all contributions and expenses** and where possible retain receipts. This information will be used to file your Election Finance Statement and must be kept for at least two years.
- ☐ **Confirm your campaign expense limit.** Check with the CAO to determine how much you can spend. Some common expenses are gas for travel and food for campaign volunteers.
- ☐ **Make sure you don't run a campaign deficit.** Your expenses should not exceed your contributions.
- ☐ **Know alternative voting opportunities** (sealed envelope voting, advance polls, mobile polls).

On Election Day:

- ☐ **Know restrictions** about political activities at voting places on Election Day and rules about signage.
- ☐ **Familiarize yourself with the qualifications of voters.**
- ☐ **Remind your scrutineers to bring a copy of their appointment form** to present to the voting official on Election Day.

After the Election:

- ☐ **File an Election Finance Statement** with the CAO of your municipality. This is a record of all your expenses and contributions. Donors who give more than $250 must be identified. Check with your municipality for the deadline.

  Failure to file an Election Finance Statement can result in disqualification for an elected council member. Unelected candidates will not be allowed to run for council until after 2018 if the deadline is missed.
- ☐ **Turn over surplus contributions to the CAO.**

Responsibilities of Elected Officials

Serving as an elected official requires commitment and dedication. You will be part of a team that will represent your community and chart a course for the future. Before deciding to run, you might want to attend a council meeting or talk to a municipal council member about their experience. There are a few things to expect if elected:

- **Term of Office:**

  As a member of council, you will serve a four-year term to 2018. Officially your term begins at noon, October 23, 2014, (July 26, 2014, for the resort communities of Winnipeg Beach, Dunnottar and Victoria Beach).

  If your municipality is amalgamating, your term will begin on January 1, 2015. The current municipal councils will continue to serve until December 31, 2014.

  You must take an oath of office before you can undertake any duties as a member of council.

- **Time Commitment:**

  Most councils hold regular meetings twice a month, however, you will also be required to attend special meetings, committee and board meetings, and various public meetings and functions. Most of these meetings will occur in the evenings.

- **Duties:**

  As a council member you will be part of a team that will develop and evaluate policies and programs for the municipality. You will ensure that services are delivered to residents and property owners in the most efficient way possible.

- **Remuneration:**

  Members of council are generally paid a small amount in recognition of the time and energy they devote to their communities. Remuneration is set by each municipality, and so the amount varies among municipalities. Council members are also allowed to claim expenses related to municipal work.

  The Municipal Act requires the municipality's annual financial statement to show the amount of compensation each council member receives.

- **Conflict of Interest:**

  All elected officials are subject to long-standing conflict of interest legislation. These rules are to ensure that decisions made by council are free of any outside influence. The legislation also requires an elected official to file a statement disclosing all assets and interests. This statement is available to the public for inspection at the municipal office during regular office hours.

Qualifications of Candidates

Who May Run:

- A Canadian citizen
- At least 18 years of age on the day of the election
- A resident of Manitoba
- A voter in the municipality (or LUD if you are seeking election to an LUD committee) in which you are seeking office. (To qualify as a voter you must be a resident or property owner in the municipality for at least six months before Election Day – January 25, 2014, for Winnipeg Beach, Dunnottar and Victoria Beach, and April 22, 2014, for the remaining municipalities in Manitoba.)
- An employee of the municipality (except the CAO) or a regional municipal body (e.g., Planning District, Conservation District, etc.) if they have taken a leave of absence. If you are a municipal employee and wish to run for your municipal council, speak to your CAO.

Who May Not Run:

- A councillor or candidate running for office in another municipality
- A candidate running for school trustee
- A member of the Legislative Assembly of Manitoba or the Senate or House of Commons of Canada
- A provincial judge or justice of the peace
- A judge of the Court of Queen's Bench or the Court of Appeal

- A person that is disqualified from running for council in 2014 due to failing to file their 2010 Election Finance Statement. All candidates, even those that were not nominated, withdrew or were not elected were required to file an Election Finance Statement after the 2010 election.

Those who have previously been convicted of an election offence or failed to pay a fine after being convicted of other offences under *The Municipal Act* or any other Act are disqualified from running. If you have questions about whether or not you are qualified to run for election, check with the SEO.

Registration

All candidates must register before they can begin to accept contributions or spend money on their campaign. Candidates must fill out a Registration Form available from the municipality's SEO.

Candidates must register within a certain timeframe:

Resort Communities (Winnipeg Beach, Dunnottar, Victoria Beach)	**All Other Municipalities**
Mayors/Reeves February 1 to June 19, 2014	**Mayors/Reeves** May 1 to Sept. 16, 2014
Councillors March 31 to June 19, 2014	**Councillors** June 30 to Sept. 16, 2014

To register candidates must:

- Provide their name and address
- Identify the office they are seeking – mayor/reeve or councillor

The Registration Form also requires candidates to provide information about their campaign account (see page 14). This information is required prior to accepting monetary contributions for the purpose of the campaign.

A sample Registration Form is available at the back of this Guidebook.

Once registered, a candidate is entitled to receive a copy of the voters list from the SEO. The voters list is a list of eligible voters that is maintained by the SEO. The voters list may be provided to the candidate electronically or in paper form. This list may be only preliminary, with a final voters list to be provided later.

IMPORTANT: The voters list may only be used for election purposes during the campaign period (see page 14). It is illegal to use the voters list for any other purpose.

After candidates are registered, they also have the right to canvass or distribute election material in the community. There are rules that must be followed:

- Candidates can access multi-unit residences, such as apartment blocks, anytime between 9:00 a.m. and 9:00 p.m. Candidates may wish to discuss their intention to campaign in a multi-unit residence with the SEO, to allow the SEO to contact the landlord to give residents advance notice of their arrival.

- Candidates can also distribute pamphlets and other campaign material at health care facilities such as personal care homes, but only at a time agreed upon by the candidate and the administrator of the facility.

IMPORTANT: When campaigning a candidate may be asked to provide identification or documentation confirming their candidacy. Candidates may wish to ensure they have photo identification such as a driver's license.

Nominations

All candidates must file nomination papers, available from the SEO, in order to run in the election.

The SEO must give public notice of the date, time and location where nomination papers can be dropped off. Public notice must be given at least one week, but no more than three weeks, before the nomination period begins.

Papers must be filed during the nomination period:

Resort Communities (Winnipeg Beach, Dunnottar, Victoria Beach)	**All Other Municipalities**
June 13 to 19, 2014	Sept. 10 to 16, 2014

A sample Nomination Form is available at the back of this Guidebook.

IMPORTANT: You may wish to file early in case you need to correct any errors. The SEO cannot accept a nomination after the deadline has passed. If your nomination papers are not accepted by the close of nominations you are NOT eligible to run for office.

Nomination Requirements:

Completed nomination papers must include:

- Your name or the name you commonly go by. This will be the name that is shown on the ballot so it is a good idea to use the name people are most familiar with.
- Home address and telephone number where you can be contacted (eg: cell, home, business).
- The office you are seeking – mayor/reeve or councillor.
- A declaration taken under oath that you are qualified to be nominated and that the information provided is true. The declaration can either be made in advance or administered by the SEO at the time the nomination papers are filed.
- The names, addresses and signatures of the number of eligible voters needed to support your nomination.
    - For election of a councillor for a ward, nomination papers must be signed by at least **25, or 1 per cent of the voters of the ward** (whichever is less)
    - For any at-large election of a mayor/reeve or councillor in a municipality, nomination papers must be signed by at least **25, or 1 per cent of the voters of the municipality** (whichever is less)

The table below provides examples of how many eligible voters' signatures are needed:

Number of Eligible Voters	1% of Voters	Number of Signatures Required
Less than 200	n/a	At least 2
900	9.0%	At least 9
1,510	15.1%	At least 16
2,600	26.0%	At least 25

IMPORTANT: Check with your SEO to determine the minimum number of signatures you need on your nomination papers. Candidates should obtain a few extra signatures, in case a person who signs your nomination papers was not eligible to do so.

After Nominations Close

Withdrawing:

Once you have filed nomination papers you may withdraw if you are no longer able to run. This decision should not be taken lightly and as a result candidates may only withdraw if the following two conditions are met:

1. Your withdrawal is signed in the presence of a witness and filed with the SEO no later than 24 hours after close of nominations (June 20, 2014, for the resort communities of Winnipeg Beach, Dunnottar and Victoria Beach and September 17, 2014 for all other municipalities).

2. There are enough candidates to fill the office you were seeking.

If you are elected and unable to serve on council, you can step down and a by-election will be held to find a replacement. Again, this is an important decision and should be given serious consideration.

Acclamation:

There are times when the number of nominated candidates is equal to or less than the number of candidates to be elected. In this case, the SEO must declare the candidate or candidates elected by acclamation, meaning there is no vote.

Order of Names on the Ballot:

The SEO will decide in which order candidates' names will appear on the ballot. Two methods may be used:

- **Random Ordering** – The SEO will determine the method to select the random order of candidates' names. Some SEOs draw names from a hat. If this method is used, the name that is drawn first will appear first on the ballot; the name drawn second will appear second, etc.

- **Rotating Order** – Each candidate's name will appear first on the ballot an equal number of times.

Candidates will be notified of the date and time when the SEO will determine how names will be ordered on the ballot, and should be present.

The Campaign Team

Official Agents:

A nominated candidate may appoint an official agent as their representative for the election and to assist with campaigning. The SEO will provide a standard form that is to be filed, when appointing an agent. The appointment must:

- Be in writing and signed by the candidate
- Include the name, address and telephone number of the person appointed
- Include a statement signed by the official agent, consenting to the appointment

Scrutineers:

A nominated candidate may appoint scrutineers to assist the candidate at voting places. Scrutineers track the progress of the vote, may make an objection to a voting official if they believe a voter isn't qualified to vote or may have already voted, and observe the counting of ballots.

The SEO will provide a standard form that is to be filed, when appointing a scrutineer. The appointment must be in writing. The scrutineer must show a copy of the form to the voting official on duty in order to be present at the voting place.

To qualify as a scrutineer you must:

- Be at least 18 years of age
- Be a candidate, an official agent, or another person appointed by the candidate or official agent
- Take an oath that he/she will uphold the rights of voters and preserve the secrecy of the vote

A maximum of two scrutineers per candidate may be present at a voting station.
A candidate may act as their own scrutineer.

Qualifications of Voters

To qualify as a voter in a specific municipality or ward, a person must meet the following criteria:

Resident Voters:

- A Canadian citizen
- At least 18 years of age on Election Day
- A resident of the municipality for at least six months before Election Day (January 25, 2014, for the resort communities of Winnipeg Beach, Dunnottar and Victoria Beach, and April 22, 2014, for the remaining municipalities).

Non-Resident Voters:

- A Canadian citizen;
- At least 18 years of age on Election Day; and
- A registered owner of property in the municipality for at least six months before Election Day (January 25, 2014 for the resort communities of Winnipeg Beach, Dunnottar and Victoria Beach, and April 22, 2014 for all other municipalities).

Voters in Wards:

Some municipalities are divided into wards for elections:

- A voter must vote in the ward where they reside, even if they are a registered landowner in more than one ward

- If a registered owner of property does not reside in the municipality, but owns property in more than one ward, the person must apply to the SEO to designate their voting ward.

  The voter must choose a ward before the voters list is closed to revisions or the SEO will choose a ward on the voter's behalf (June 19, 2014, for the resort communities of Winnipeg Beach, Dunnottar and Victoria Beach, and September 16, 2014 for all other municipalities).

Campaign Finance Rules

Campaign finance rules are in place for all municipalities under *The Municipal Act*. Depending on how you run your campaign, all rules may not apply to you.

IMPORTANT: All candidates should take time to understand campaign finance rules.

Key Campaign Finance Rules:

Key campaign finance rules:

- Establish a campaign period. Candidates can accept contributions and spend money on their election campaigns during this period.
- Require candidates to have a campaign account prior to accepting monetary contributions from others for the purposes of the campaign.
- Restrict who can contribute to a candidates' campaign. Only Manitoba residents may contribute. Union, corporate and anonymous contributions are not allowed.
- Set a maximum contribution amount:
  - $1,500 to a candidate for mayor/reeve or a candidate elected at large
  - $750 to a candidate elected on a ward basis

  Contribution limits apply to a candidate's contribution to their own campaign.
- Require municipalities to establish campaign expense limits.
- Require municipalities to determine the portion of fundraising to be considered a contribution and the portion to be considered an expense.
- Establish rules for loans taken by candidates for election purposes.
- Require candidates to keep a record of contributions and expenses. All registered candidates must keep records.
- Require registered candidates to file a simple Election Finance Statement.

These rules are outlined in the following pages.

Campaign Period:

Once registered, candidates can begin accepting contributions and spending money on their campaign. Candidates will be allowed to spend money and collect contributions during the entire campaign period:

Resort Communities **(Winnipeg Beach, Dunnottar, Victoria Beach)**	**All Other Municipalities**
Mayors/Reeves February 1, 2014 to Dec. 31, 2014	**Mayors/Reeves** May 1, 2014 to March 31, 2015
Councillors March 31, 2014 to Dec. 31, 2014	**Councillors** June 30, 2014 to March 31, 2015

The campaign period extends beyond Election Day to allow candidates to continue to solicit contributions to help cover any campaign expenses or to spend any money left over. For example, candidates may want to host a thank you lunch for their volunteers.

Campaign Account:

Candidates must set up a campaign account at a financial institution (eg. bank, credit union, caisse populaire) if they are going to receive monetary contributions from others.

Details of the account, including the name of the financial institution, account number, etc. need to be provided to the SEO on the Registration Form. The campaign account must be used only for election purposes.

Contributions to Candidates:

Legislation restricts who may contribute to a candidate's campaign:

Contributions may only be received from:

- Residents of Manitoba

Contributions may not be received from:

- Unions, corporations or any other organizations, for example the chamber of commerce or rotary club.
- Anonymous contributors. Any candidate who receives an anonymous contribution must turn it over to the SEO.

Legislation establishes the maximum amount that a person may contribute. Monetary and non-monetary contributions are counted towards the limit.

The maximum amounts an individual can contribute to one candidate:

- $1,500 to mayors/reeves and councillors elected at large;
- $750 to councilors elected by ward;

These contribution limits also apply to candidates and their spouses.

Fundraising:

If you hold a fundraiser for your campaign, you must record the revenue and expenses associated with the event. A portion of the revenue will be considered a campaign contribution. For further details, check with your municipality's CAO or consult your municipality's Campaign Expenses and Contributions Bylaw.

Non-monetary Contributions:

Candidates may receive non-monetary contributions, for example the donation of a good or service.

When the good or service is provided by a person who earns a living providing that good or service, the value of the good or service must be recorded as a non-monetary contribution:

Contribution of a Good

The owner of a local butcher shop wants to donate 100 hotdogs for a BBQ for your campaign workers. The value of those 100 hotdogs must be recorded as a non-monetary contribution.

Contribution of a Service

A self-employed graphic designer wants to help you out by designing a campaign pamphlet. The rate the designer would normally charge a customer must be recorded as a non-monetary contribution.

Not every good or service a candidate receives is a contribution. For example, it is not a contribution if a neighbour bakes muffins for campaign workers or a friend helps you make signs.

IMPORTANT: If you are unsure as to whether a contribution can be accepted, check with your municipality's CAO.

Loans:

Candidates may borrow money for their campaign but there are certain restrictions, including how loans are to be repaid:

- Only loans from financial institutions (eg. banks, credit unions, caisse populaires) are permitted
- Loans from a financial institution are not considered a contribution
- Loans can be repaid from a candidate's campaign account, through contributions or fundraising. If, however, payments are made from a candidate's personal bank account or by another person, those payments are considered contributions and must be recorded as such
- A registered candidate is not allowed to lend or give money raised for the purpose of the election to another person or organization.
- Any loans must be repaid by the time a candidate files their Election Finance Statement.

Election Expenses:

Expense limits are set by municipalities.

Candidates should check with their municipality's CAO to determine their expense limit. The information is also included in your municipality's Campaign Expenses and Contributions By-law.

Eligible expenses may include but are not limited to:

- Costs for a hall or room rentals for public meetings
- Fees for printing pamphlets, notices and advertisements or making signs
- Costs for hiring vehicles and drivers for campaign purposes
- Costs for food and refreshments for candidates or campaign volunteers served at election meetings
- Travel expenses such as gas

Note: expenses also include campaign-related expenses incurred by volunteers.

Any person or business who is owed money by a candidate for a service provided in relation to the election must submit an invoice to the candidate within 30 days after the Election Day.

IMPORTANT: If you are unsure as to what is an eligible expense, and counted toward your expense limit, check with your municipality's CAO.

Recording Contributions and Expenses:

You must keep track of any contributions received or money spent on your campaign. You will need this information to file your Election Finance Statement (see page 21).

IMPORTANT: Candidates must manage their campaigns to ensure their expenses do not exceed their contributions.

Candidates must keep financial records (eg. copies of receipts, cancelled cheques, bank statements) from their campaign for at least two years after the election. This information must be available on request to your municipality's CAO.

Each municipality determines in its Campaign Expenses and Contributions By-law how candidates are to keep records of contributions and expenses. Basic information will include:

Monetary Contributions:

Date	Name	Address	Contribution Amount
Sept 10, 2014	John Smith	55 Main Street, Anytown	$50
Sept 15, 2014	Frank Johnson	22 Oak Street, Anytown	$100

Non-Monetary Contributions:

Date	Name	Address	Good or Service	$ Value of Good or Service
June 10, 2014	Jack Jones	10 Main Street, Anytown	Hot Dogs	$20
July 15, 2014	Fred Fox	25 Oak Street, Anytown	Graphic Design	$250

Election Expenses:

Date Incurred	Date Paid	Goods, Property or Services Received	Cost ($)
Sept 10, 2014	Sept 10, 2014	Office supplies	$50
Sept 15, 2014	Sept 15, 2014	Transportation gas	$20
Sept 20, 2014	Sept 20, 2014	Pizza	$30

Alternative Voting Opportunities

Options are available for voters who may not be able to vote on Election Day.

Candidates should be familiar with the options that are available in their municipality so that they can inform voters and make sure their supporters come out to vote. Voters should also be referred to the SEO for information.

Options include:

- **Advance Voting** – All municipalities must hold at least one advance poll prior to Election Day. The SEO will provide public notice of the date and location of the advance poll.

- **Sealed Envelope Voting** – Voters may vote in person at the municipal office or by mail. Voters need to apply to the SEO in person or in writing by October 19, 2014, (July 22, 2014 for resort communities of Winnipeg Beach, Dunnottar and Victoria Beach).

- **Mobile Voting** – Municipalities may establish a mobile voting station, which travels from place to place, to serve patients or residents in a health care facility.

  A mobile voting station may also be set up on Election Day, or before Election Day, as an advance voting opportunity.

Scrutineers and candidates are entitled to be present at alternative voting opportunities.

Election Day

Political Activities at Voting Places:

Political activities are not permitted at voting places, under *The Municipal Councils and School Boards Elections Act*. No person may, within 50 metres of a voting place:

- Distribute pamphlets, buttons or other items referring to the election or a candidate

- Wear or display any item that refers to the election or a candidate

- Post or display a sign or poster referring to the election or a candidate

If a candidate's sign is located within 50 metres of a voting place on Election Day, an election official may remove it or order the candidate to remove it.

Anyone not obeying these rules could be charged with an Election Offence (see page 23)

On Election Day, scrutineers may wear a badge or ribbon indicating, by colour alone (not name), the candidate they represent. No other person may wear anything that identifies the person as a supporter of the candidate.

Challenging a Voter:

A candidate (or scrutineer) may challenge a person wishing to vote if they suspect the person is not an eligible voter or has already voted.

The challenge must be made before the voter is given a ballot. The person making the challenge must state the reason for the challenge. If no reason is given, the voter may go ahead and cast their ballot.

In order to vote, a voter who is challenged must take an oath of eligibility, declaring that they are eligible and have not already voted. The voter must also provide the voting official with identification. After the voter complies with these requirements, no further challenges or questions may be raised regarding the voter's eligibility.

Election Results:

All election ballots are counted by voting officials when the voting stations close at 8:00 p.m. on Election Day. The candidate and/or their agents and scrutineers are allowed to be present for the count.

If the voting official and a scrutineer disagree on the acceptance or rejection of a ballot during the count, the scrutineer (or candidate) should immediately discuss the matter with the voting official.

The voting official will make a decision on the objection immediately, and will record the objection in the voting record. The decision of the voting official is final.

After the count is complete, the ballots and all election materials are delivered to the SEO. The SEO will announce the official results as soon as possible.

Tie Votes:

If there is a tie, the SEO must declare the office vacant and immediately call a by-election.

Interested candidates must register and file nomination papers, including those candidates that just ran in the general election.

After the Election

Judicial Recounts:

A recount of the ballots may be required under certain circumstances:

- **A candidate may apply** to the Court of Queen's Bench for a judicial recount within 14 days of Election Day, if the candidate objects to the voting official's decision to accept or reject a ballot during the count.

- **A voter may apply** to the Court of Queen's Bench for a judicial recount within 14 days of Election Day, if it is believed the voting official failed to properly accept, reject or discard ballots during the count, or if the voter believes the official results are inaccurate.

- **The SEO must apply** to the Court of Queen's Bench for a judicial recount within 14 days of Election Day, if there was an objection to the voting official's decision to accept or reject a ballot during the count which resulted in a tie for office.

If the tie is confirmed after a judicial recount, the SEO must immediately call a by-election. Interested candidates must register and file nomination papers, including those candidates that just ran in the general election.

Safe-keeping of Election Materials:

Documents related to the election such as nomination papers, the statement of the vote or the official results, are available for public inspection up to six months after the election.

Ballots or personal security certificates, which are required by legislation to be kept confidential, must be destroyed by the SEO after six months.

Filing Election Finance Statements

Once the election is over, all registered candidates must file a simple Election Finance Statement with the municipality's CAO.

Requirements:

The CAO/SEO in the municipality in which you were a candidate can provide you with the Election Finance Statement Form. A sample form can also be found in the back of this guide.

IMPORTANT: All registered candidates must file an Election Finance Statement. This includes elected candidates and unelected candidates (those who were registered but never nominated, those who withdrew, or those who were not elected).

Registered candidates must still file a statement even if no contributions were accepted or no expenses were incurred.

Candidates' statements are available for public inspection at your municipal office. The statements must include:

- All contributions received and expenses incurred
- The name, residential address and contribution of anyone who contributed more than $250
- An itemized list of campaign expenses
- The contributions and expenses relating to any fund-raising event
- Details of any loan made to the candidate for the purpose of the election campaign including the name of the financial institution that made the loan, principal amount of the loan, interest rate on the loan and the terms of repayment
- Any other information required by the municipality. Municipalities may require Election Finance Statements to be audited.

Any surplus showing on a candidate's Election Finance Statement must be turned over to the municipality.

The municipality will return the funds to the candidate if the individual registers as a candidate in the next general election. If the individual chooses not to run, the money will be transferred into the general funds of the municipality.

Audits:

Some municipalities may require candidates to get an audit of their Election Finance Statement. The SEO will advise you whether an audit is required when you register.

Deadlines for Filing Election Finance Statements:

There are strict deadlines for filing the Election Finance Statement. The deadline is established in your municipality's Campaign Expenses and Contribution By-law, but must be no later than 210 days after Election Day:

Resort Communities (Winnipeg Beach, Dunnottar, Victoria Beach)	**All Other Municipalities**
February 20, 2015	May 20, 2015

IMPORTANT: It is recommended that candidates file their Election Finance Statement as soon as possible after the election to ensure that there is enough time to address any matters that may arise.

The CAO may request a further statement to be filed if there is incorrect or incomplete information on the initial statement. Candidates will be given an additional 30 days, after receiving the request, to provide this information.

IMPORTANT: Registered candidates must file their Election Finance Statement on time or face penalties.

Elected candidates who do not file on time will not be allowed to sit on council or may be disqualified from council.

Candidates who were not nominated, withdrew or who were not elected, and fail to file will not be allowed to run for council until after the 2018 general municipal election.

Municipal Contribution and Expense Programs

Municipalities have authority to establish a program to provide contributors with either a tax credit or rebate for an amount equal to part of their contribution.

Municipalities also have authority to establish a program to reimburse candidates for a portion of their expenses.

Check with your municipality's CAO to see if such programs are available in your municipality.

Election Offences

There are a number of election offences under *The Municipal Councils and School Boards Elections Act* which carry penalties – including a fine or jail time. For example, it is illegal to:

- Offer a bribe to a voter, election official, or another candidate
- Accept a bribe or solicit a bribe
- Use force or intimidation against any person to vote or refrain from voting
- Interfere or disrupt the proceedings of a voting place or station
- Use the voters list for a purpose other than for campaigning
- Make a false or misleading statement or declaration
- Publish a false statement that a candidate has withdrawn.

As well, any person who contravenes campaign finance rules under *The Municipal Act* or the municipality's by-law, may be found guilty of an offence.

IMPORTANT: Any person guilty of an offence under *The Municipal Councils and School Boards Elections Act* can be fined up to $10,000 or imprisoned for a term of not more than one year.

A person guilty of an offence under *The Municipal Act* or the municipality's by-law can be fined up to $5,000.

Sample Forms

To be used by:
Winnipeg Beach, Dunnottar and Victoria Beach

(Name of municipality)

REGISTRATION OF PROSPECTIVE CANDIDATE FOR GENERAL MUNICIPAL ELECTION

To be filed with the Senior Election Official as follows:

Head of Council: between February 1, 2014 and June 19, 2014 (date of close of nominations)

Councillor: between March 31, 2014 and June 19, 2014 (date of close of nominations)

Name of office (Head of council or councillor, and Ward if applicable)		
Name of candidate		
Permanent mailing address		
		Postal Code
Phone	Phone (alternate)	Fax Number
E-mail address		

Note: To be completed by candidates who will be accepting monetary campaign contributions from others and prior to using the bank account.

Name and address of financial institution (Bank, Credit Union, Trust Company, or other similar institution)	Account number(s)
Signing Officer (Name on Account)	Mailing Address / Postal Code
Phone (Business)	Fax Number / E-mail Address

SAMPLE

I, _____ a candidate for Election as
(Name of Candidate)

a member of Council for the _____ at this election, declare:
(Name of Municipality)

(a) That the information contained in this Registration Form is to the best of my knowledge true and correct.

(b) That I am a Canadian citizen and of the full age of eighteen years.

(c) That I am not subject to any disqualification for the office for which I am a candidate under, *The Municipal Councils and School Boards Election Act, The Municipal Act,* or any other Act of the Manitoba Legislature.

(d) That I am a voter of the local authority aforesaid, being the _____.
(Name of municipality)

(e) My place of residence is _____.

And I make this declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, and by virtue of *The Canada Evidence Act.*

_____
(SIGNATURE OF CANDIDATE)

Declared before me at the _____in the Province of Manitoba,

this _____ day of _____, 20_____.

_____
(SIGNATURE OF SENIOR ELECTION OFFICIAL)

<u>NOTE</u>: It is the responsibility of the person applying for registration to file a complete and accurate Registration Form. The candidate is responsible to immediately notify the SEO in writing of any changes in information provided.

SAMPLE

To be used by:
All municipalities excluding Winnipeg Beach, Dunnottar and Victoria Beach

_____
(Name of municipality)

REGISTRATION OF PROSPECTIVE CANDIDATE FOR GENERAL MUNICIPAL ELECTION

To be filed with the Senior Election Official as follows:

Head of Council: between May 1, 2014 and September 16, 2014 (date of close of nominations)

Councillor: between June 30, 2014 and September 16, 2014 (date of close of nominations)

Name of office (Head of council or councillor, and Ward if applicable)		
Name of candidate		
Permanent mailing address		
		Postal Code
Phone	Phone (alternate)	Fax Number
E-mail address		

Note: To be completed by candidates who will be accepting monetary campaign contributions from others and prior to using the bank account.

Name and address of financial institution (Bank, Credit Union, Trust Company, or other similar institution)	Account number(s)
Signing Officer (Name on Account)	Mailing Address / Postal Code
Phone (Business)	Fax Number / E-mail Address

SAMPLE

I, _____ a candidate for Election as
(Name of Candidate)

a member of Council for the _____ at this election, declare:
(Name of Municipality)

(a) That the information contained in this Registration Form is to the best of my knowledge true and correct.

(b) That I am a Canadian citizen and of the full age of eighteen years.

(c) That I am not subject to any disqualification for the office for which I am a candidate under, *The Municipal Councils and School Boards Election Act, The Municipal Act,* or any other Act of the Manitoba Legislature.

(d) That I am a voter of the local authority aforesaid, being the _____.
(Name of municipality)

(e) My place of residence is _____.

And I make this declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, and by virtue of *The Canada Evidence Act.*

_____
(SIGNATURE OF CANDIDATE)

Declared before me at the _____in the Province of Manitoba,

this _____ day of _____, 20_____.

_____
(SIGNATURE OF SENIOR ELECTION OFFICIAL)

NOTE: It is the responsibility of the person applying for registration to file a complete and accurate Registration Form. The candidate is responsible to immediately notify the SEO in writing of any changes in information provided.

SAMPLE

CANDIDATE NOMINATION
(for mayor, reeve, councillor,
or school trustee of a local authority)

I, _____ seek to be nominated to the office of _____
(surname and usual name of candidate) (mayor/reeve/councillor/trustee)

for _____.
(name of local authority)

**** Note: Your name will appear on the ballot as it is written on the nomination form.**

Telephone number: _____

Address / description of land that qualifies the candidate to be nominated:
_____

Mailing address (if different): _____

NAME, ADDRESS / LOCATION, AND SIGNATURE OF QUALIFIED VOTERS:
(only eligible voters that appear on the voters list of the local authority in which you are seeking office can support the nomination)

	Full Name (Print)	**Address or Location (Print)**	**Signature (Sign)**
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			
25.			

SAMPLE

DECLARATION OF CANDIDATE
(for mayor, reeve, councillor
or school trustee of a local authority)

I, _____ a candidate nominated for the office of _____
(name of candidate) (state office)

for Ward _____ for _____ at this
(strike out if elected at large) (name of local authority)

election, do solemnly declare:

(in the case of nomination for member of council)

1. That I am a Canadian citizen and will be the full age of eighteen years at the date of the election.
2. That I am qualified to be nominated and am a resident of the Province of Manitoba.
3. That I am not subject to any disqualification for the office for which I am a candidate under *The Municipal Councils and School Boards Elections Act* or any other Act of the Legislature.

(in the case of nomination for school trustee)

1. That I am a Canadian citizen and will be the full age of eighteen years at the date of the election.
2. That I am a resident in the school division or school district, and will have been for a period of at least six months at the date of the election.
3. That my place of residence is:

_____
(Here give exact address or description of place of residence, including name of school division, etc. in which the nominee resides).

4. That I am not disqualified from holding office under *The Municipal Councils and School Boards Elections Act* or any other Act of the Legislature, and am not otherwise by law prohibited, from being a trustee or from voting at election in the school division or school district.

And I make this declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, and by virtue of *The Manitoba Evidence Act*.

Declared before me at the _____)
of _____)
in the Province of Manitoba,)
this _____ day of _____ 20 ____)

_____ _____
(Person authorized to administer oath) (Signature of candidate)

SAMPLE

To be used by:
Winnipeg Beach, Dunnottar and Victoria Beach

_____
(Name of municipality)

CANDIDATE ELECTION FINANCE STATEMENT

To be filed with the Chief Administrative Officer by <u>February 20, 2015</u>.

Name of office (Head of council or councillor, and Ward if applicable)		
Name of candidate		
Permanent mailing address		
		Postal Code
Phone	Phone (alternate)	Fax Number
E-mail address		

SAMPLE

CONTRIBUTIONS IN CAMPAIGN PERIOD

Contributions $250.00 or less $_____

Add: Contributions more than $250 from single contributor $_____ ← From Part A

Add: Contributions from fund-raising events $_____ ← From Part B

Add: Other (Please specify) $_____

TOTAL CONTRIBUTIONS $_____

Anonymous Contributions turned over to SEO $_____
(Do not include in Total Contributions)

EXPENSES IN CAMPAIGN PERIOD

Advertising – media, posters, pamphlets, signs $_____

Office–furniture, equipment, insurance, rent, telephone $_____

Office supplies – stationary, postage $_____

Candidate's personal expenses $_____

Meetings, social functions, rallies $_____

Travel $_____

Other (please specify):_____
_____ $_____

TOTAL EXPENSES $_____

SURPLUS/(DEFICIT)
(TOTAL CONTRIBUTIONS LESS TOTAL EXPENSES) $_____

SAMPLE

PART A

CONTRIBUTIONS (INCLUDING GOODS OR SERVICES) FROM A SINGLE CONTRIBUTOR VALUED MORE THAN $250.00

(Complete only if the total value of contributions, monetary and non-monetary, from any single contributor was more than $250 during the campaign period).

Name	Address	Goods or Services	Amount/ Value of Goods or Services $
	PART A – TOTAL CONTRIBUTIONS		$

SAMPLE

PART B

FUND-RAISING EVENT STATEMENT

(Attach a separate statement for each event held)

Event #: _____

Date: _____

Held at: _____

Type of Function: _____

Revenue
(Please Specify e.g. ticket sales, merchandise etc.):

_____

_____

_____

(Exclude individual monetary contributions into a general collection of more than $10.00. These contributions are to be reported as individual contributions.)

TOTAL REVENUE $_____

Costs
(Please Specify e.g. hall rental, advertising, supplies etc.):

_____

_____

_____

TOTAL COSTS $_____

PART B – TOTAL CONTRIBUTIONS (TOTAL REVENUE LESS TOTAL COSTS)	**$**

SAMPLE

LOAN DETAILS

Name of financial institution: _____

Address: _____

_____

_____

Amount borrowed: $_____

Interest rate: _____ % Terms for repayment _____

I, _____, a candidate for election as a member of council at the 2014 general election, declare:

(a) this campaign finance completely and accurately discloses the information required by The Municipal Act; and

(b) the requirements of The Municipal Act and the _____ By-law No. _____
(name of municipality)
have been met,

in relation to my election campaign in the year 2014 General Election.

_____
(SIGNATURE OF CANDIDATE)

Declared before me at the _____ in the Province of Manitoba,

this _____ day of _____, 20____.

_____
(SIGNATURE OF WITNESS)

SAMPLE

To be used by:
All municipalities excluding Winnipeg Beach, Dunnottar and Victoria Beach

_____
(Name of municipality)

CANDIDATE ELECTION FINANCE STATEMENT

To be filed with the Chief Administrative Officer by May 20, 2015.

Name of office (Head of council or councillor, and Ward if applicable)		
Name of candidate		
Permanent mailing address		
		Postal Code
Phone	Phone (alternate)	Fax Number
E-mail address		

SAMPLE

CONTRIBUTIONS IN CAMPAIGN PERIOD

Contributions $250.00 or less $_____

Add: Contributions more than $250 from single contributor $_____ ← From Part A

Add: Contributions from fund-raising events $_____ ← From Part B

Add: Other (Please specify) $_____

TOTAL CONTRIBUTIONS $_____

Anonymous Contributions turned over to SEO $_____
(Do not include in Total Contributions)

EXPENSES IN CAMPAIGN PERIOD

Advertising – media, posters, pamphlets, signs $_____

Office–furniture, equipment, insurance, rent, telephone $_____

Office supplies – stationary, postage $_____

Candidate's personal expenses $_____

Meetings, social functions, rallies $_____

Travel $_____

Other (please specify):_____
_____ $_____

TOTAL EXPENSES $_____

SURPLUS/(DEFICIT)
(TOTAL CONTRIBUTIONS LESS TOTAL EXPENSES) $_____

SAMPLE

PART A

CONTRIBUTIONS (INCLUDING GOODS OR SERVICES) FROM A SINGLE CONTRIBUTOR VALUED MORE THAN $250.00

(Complete only if the total value of contributions, monetary and non-monetary, from any single contributor was more than $250 during the campaign period).

Name	Address	Goods or Services	Amount/ Value of Goods or Services $
PART A – TOTAL CONTRIBUTIONS			$

SAMPLE

PART B

FUND-RAISING EVENT STATEMENT

(Attach a separate statement for each event held)

Event #: _____

Date: _____

Held at: _____

Type of Function: _____

Revenue
(Please Specify e.g. ticket sales, merchandise etc.):

_____

_____

_____

(Exclude individual monetary contributions into a general collection of more than $10.00. These contributions are to be reported as individual contributions.)

TOTAL REVENUE $_____

Costs
(Please Specify e.g. hall rental, advertising, supplies etc.):

_____

_____

_____

TOTAL COSTS $_____

PART B – TOTAL CONTRIBUTIONS (TOTAL REVENUE LESS TOTAL COSTS)	**$**

SAMPLE

LOAN DETAILS

Name of financial institution: _____

Address: _____

_____

_____

Amount borrowed: $_____

Interest rate: _____ % Terms for repayment _____

I, _____, a candidate for election as a member of council at the 2014 general election, declare:

(a) this campaign finance completely and accurately discloses the information required by The Municipal Act; and

(b) the requirements of The Municipal Act and the _____ By-law No. _____
(name of municipality)
have been met,

in relation to my election campaign in the year 2014 General Election.

_____
(SIGNATURE OF CANDIDATE)

Declared before me at the _____in the Province of Manitoba,

this _____ day of _____, 20_____.

_____
(SIGNATURE OF WITNESS)

SAMPLE